

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARLENA LATIF,

Plaintiff,

-against-

THE CITY OF NEW YORK, THE  
DEPARTMENT FOR THE AGING, CARYN  
RESNICK, SAL RULLAN, KAMLESH  
PATEL, JACK RIZZO, JOHN DOE(S) and  
JANE DOE(S)(names currently unknown) each  
in his/her official and individual capacities,

Defendants.

---

JIMMY EKPE,

Plaintiff,

-against-

THE CITY OF NEW YORK, THE  
DEPARTMENT FOR THE AGING, CARYN  
RESNICK, SAL RULLAN, KAMLESH  
PATEL, JACK RIZZO, JOHN DOE(S) and  
JANE DOE(S)(names currently unknown) each  
in his/her official and individual capacities,

Defendants.

---

EDDY TOUSSAINT,

Plaintiff,

-against-

CITY OF NEW YORK, THE DEPARTMENT  
FOR THE AGING, CARYN RESNICK, SAL  
RULLAN, JACK RIZZO, JOHN DOE(S) and  
JANE DOE(S) (names currently unknown), each in  
his/her official and individual capacities,

Defendants.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>12/20/2021</u>
--

20 Civ. 8248 (AT)

20 Civ. 9143 (AT)

19 Civ. 1239 (AT)

**ORDER**

ANALISA TORRES, District Judge:

The Court has reviewed letters from Plaintiffs' counsel in the above-captioned cases, filed on December 14 and 17, 2021, seeking a stay of this matter because counsel recently tested positive for COVID-19. No. 20 Civ. 9143, ECF Nos. 74, 75; No. 20 Civ. 8248, ECF Nos. 75, 78; No. 19 Civ. 1239, ECF Nos. 123, 124. The Court finds that a stay of this action is improper, given the short period of time in which counsel expects to be incapacitated. Accordingly, Plaintiffs' request for a stay in the above-captioned actions is DENIED. By **January 6, 2022**, the parties shall submit a joint status letter to the Honorable Debra C. Freeman as directed by her at the parties' case management conference on November 17, 2021. All other deadlines imposed by this Court and by Judge Freeman shall remain in effect.

Pursuant to the agreement of the parties at the November 17, 2021 case management conference, Defendants' motions to dismiss the amended complaints in *Ekpe v. Patel*, No. 20 Civ. 9143, ECF No. 60, and in *Latif v. Dept' of the Aging*, No. 20 Civ. 8248, ECF No. 61, are DENIED without prejudice to renewal pending the disposition of any motions to amend the complaints for a second time from Plaintiffs. The Clerk of Court is directed to terminate the motions pending at 20 Civ. 9143, ECF No. 60, and 20 Civ. 8248, ECF No. 61.

SO ORDERED.

Dated: December 20, 2021  
New York, New York



---

ANALISA TORRES  
United States District Judge